



EV052703469

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No.09/902,811
Filing Date Jul 10, 2001
Inventorship Smith et al.
Applicant Microsoft Corporation
Attorney's Docket No. MS1-862US
Title: Application Program Interface for Network Software Platform

PETITION UNDER 37 CFR 1.47(A)

RECEIVED

JUL 30 2002

OFFICE OF PETITIONS

To: Box Missing Parts
Commissioner of Patents and Trademarks
Washington, D.C. 20231

From: Allan T. Sponseller (Tel. 509-324-9256; Fax 509-323-8979)
Customer No. 22801



22801

PATENT TRADEMARK OFFICE

Let it be known that:

1. Several attempts to contact joint inventor David Bau at his last known address and also via his last known email address have failed to elicit any response.

2. His last known address is: David Bau, 415 Howard Road, Gladwyne, PA 19034.

3. His last known email address is: david@bau.to

4. On February 20, 2002, an email was sent by the Legal Department at Microsoft Corporation, to David Bau at his last known email address; the email was an attempt to locate Mr. Bau and to verify his address. A copy of the email is attached hereto.

5. On February 25, 2002, an additional email was sent by Microsoft Corporation, to David Bau at his last known email address; the email was a follow-up to the first email and requested that Mr. Bau contact Microsoft Corporation. A copy of the email is attached hereto.

6. On February 25, 2002, a voice mail message was left at Mr. Bau's last known telephone number (610) 642-8783 requesting that he contact Microsoft Corporation.

03/29/2002 JBALINAN 00000060 09902811

04 FC:105 130.00 OP

03/29/2002 JBALINAN 00000060 09902811

05 FC:122 LEE & HAYES, PLLC 130.00 OP

1 7. On February 26, 2002, a package including a Declaration and
2 Assignment (formal papers) was sent by Lee & Hayes, PLLC to David Bau at his
3 last known address through Federal Express (tracking number 790323624798).
4 According to Federal Express, the package was delivered as addressed on February
5 28, 2002 at 9:49 AM. Copies of the FedEx Shipping History, as well as the Detailed
6 Tracking Results are attached hereto.


7 8. To date, Mr. David Bau has not contacted Lee & Hayes, PLLC,
8 Microsoft Corporation or returned any of the formal papers.

9 9. As such, the Honorable Commissioner is hereby petitioned to allow
10 the filing of the above-identified patent application under 37 CFR 1.47(a), in light of
11 the nonsigning joint inventor, David Bau.

12 The Commissioner is hereby authorized to charge payment of fees or credit
13 overpayments to Deposit Account No. 12-0769 in connection with any fees under
14 37 CFR 1.17(i).

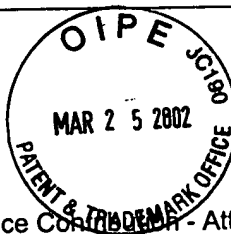
15 Respectfully submitted,

16 Dated: 3/25/02

17 By: 
18 Allan T. Sponseller
19 Reg. No. 38,318
20
21
22
23
24
25

Dana Calhoun

From: Cristina Dodson (LCA) [cdod@microsoft.com]
Sent: Monday, February 25, 2002 12:27 PM
To: david@bau.to
Cc: Dana Calhoun
Subject: FW: INVENTORSHIP .NET Framework Namespace Contribution - Attorney/Client



David,
 Still hoping to hear from you, we have an urgent need for you to respond by end of business today, Monday, February 25, 2002.
 Thank you,
 Cristina

-----Original Message-----

Fr m: Cristina Dodson (LCA)
Sent: Wednesday, February 20, 2002 3:51 PM
T : 'david@bau.to'
Cc: Cristina Dodson (LCA)
Subject: INVENTORSHIP .NET Framework Namespace Contribution - Attorney/Client Privileged
Importance: High

David,
 We are currently in the process of identifying all of the inventors on the .Net namespace applications, you have been identified as making a substantial contribution to the following namespace(s)

system.regular expressions

Please reply to me by Friday, February 22, 2002 to confirm. If this information is correct you will be listed as an inventor on patents covering this/these namespace(s) and we will send you formal papers to sign to attest to your contribution to this technology. You should expect to see this paperwork within the next 2 weeks. When you receive them, please sign and return them by the deadline in the instructions that will accompany them.

The last known contact information we have for you is:

David Bau
 415 Howard Road
 Gladwyne, PA 19034
 (610) 642-8783

Please let me know if this is still your current home address, if not I will need your new home address along with your Country of Citizenship as this info is required on the forms.

We appreciate your contribution and timely response. If you have questions you can contact me.

Cristina Dodson
 Patent Paralegal
 Microsoft Corporation
 One Microsoft Way
 Redmond, WA 98052
 cdod@microsoft.com
 (425) 707-8127

3/15/2002

Dana Calhoun

Fr m: Cristina Dodson (LCA)
Sent: Tuesday, February 26, 2002 2:46 PM
To: Dana Calhoun
Subject: David Bau
Dana,



I have been attempting to make contact with David Bau, an inventor on at least one .Net Namespace patent application. My attempts to contact him have included leaving a voice message 02/25/02 at the last known home phone number that we have on file; sending 2 separate email inquiries on 2/20/02 and 02/25/02 to the email address of david@bau.to asking for a reply confirming his inventorship; and attempting to ring his pager per instructions given on the Bau family website of <http://bau.to/> despite my repeated attempts I have not received a response from Mr. Bau.

Cristina Dodson
Patent Paralegal
Microsoft Corporation
One Microsoft Way
Redmond, WA 98052
cdod@microsoft.com
(425) 707-8127

3/15/2002



February 26, 2002

lee&hayes

Mr. David Bau
415 Howard Road
Gladwyne, PA 19034

Re: "Application Program Interface for Network Software Platform"

File No(s) MS# 180590.1 / MS1-861US
MS#180591.1 / MS1-862US
MS#180596.1 / MS1-867US

Dear Mr. Bau:

As outside counsel to Microsoft Corporation, last July we filed several .Net Namespace applications on which you have been identified as making a substantial contribution to. In order to complete the applications, the United States Patent Office requires that we file documents (Assignment and Declaration) signed by each inventor. To that end, I am enclosing these documents for each of the applications listed above.

Also included is a copy of the application as it was filed for MS1-861US in it's entirety. Both MS1-862US and MS1-867US are volumous and impossible to send to you by mail. However, as the basic applications for all of these applications are quite similar, with the only difference being specific software programming details, I am sending the Claims portions for both MS1-862US and MS1-867US.

Please sign the Assignments and Declarations where I have indicated and fax them to my attention at (509) 323-8979. Originals should then be sent to Christina Dodson, Microsoft Legal Department, One Microsoft Way, Redmond, WA 98052. It is imperative that I receive the signed papers via fax no later than Thursday, February 28, 2002.

Should you have questions or concerns, please contact me via email at Dana@Leehayes.com or by telephone at (509) 324-9256, extension 214.

Sincerely,

Dana Calhoun
Legal Assistant



Ship Manager



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Tracking Number: 790323624798 Date: Feb 26 2002

From:
Dana Calhoun
LEE & HAYES, PLLC

421 W. Riverside
Ave., Ste. 500
Spokane WA 99201
US
509-324-9256

To:
David Bau
415 Howard
Road
Gladwyne PA
19034
US
(509) 324-9256

Service: Priority Overnight
Packaging: FedEx Envelope
Handling: Drop Off

Weight: 1LBS
Shipper Account Number:
182558311
Bill Shipment To: 182558311

Bill Duty/Tax/Fees:
Express Reference: MS1-861,
862 & 867US
Declared Value: USD0
Status: N/A

Courtesy Rate Quote*: 17.25
COD Amount: N/A

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Detailed Results

Tracking Number 790323624798
 Reference Number MS1-861, 862 & 867US
 Ship Date 02/26/2002
 Delivered To Recipient
 Delivery Location FORT WASHINGTON PA
 Delivery Date/Time 02/28/2002 09:49
 Signed For By 5204227
 Service Type Priority Letter

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Scan Activity	Date/Time	Comments
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On FedEx vehicle for delivery KING OF PRUSSIA PA	02/28/2002 08:34	
Package status KING OF PRUSSIA PA	02/27/2002 21:12	Package in FedEx location
Package status KING OF PRUSSIA PA	02/27/2002 12:17	Package at station - awaiting courier
Arrived at FedEx Destination Location KING OF PRUSSIA PA	02/27/2002 12:09	
Arrived at FedEx Destination Location FORT WASHINGTON PA	02/27/2002 08:09	
Left FedEx Ramp PHILADELPHIA PA	02/27/2002 07:06	
Left FedEx Sort Facility MEMPHIS TN	02/27/2002 02:25	
Arrived at Sort Facility MEMPHIS TN	02/27/2002 00:45	
Left FedEx Ramp SPOKANE WA	02/26/2002 19:13	
Arrived at FedEx Ramp SPOKANE WA	02/26/2002 18:23	

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